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PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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MAR 26 2002

PETITIONS OFFICE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
020574-000110US

First named inventor: Jason Ashton

Application No.: 09/863,124

Art Unit: 2152

Filed: 5/22/01

Examiner: not assigned

Title: Internet and wireless integrated virtual presence

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity - fee \$640 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$_____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of TRANSMITTAL LETTER - RESPONSE TO NOTICE OF MISSING PARTS with Missing Parts Surcharge fee of \$65 to DA20-1430; executed Declaration and Power of Attorney; Petition for Extension of Time under 37 CFR 1.136(a) and copy of Notice to File Missing Parts of Nonprovisional Application (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

04/26/2002 AKELLEY 00000018 09863124

01 FC:205 65.00 CH
02 FC:241 640.00 CH

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

03/26/02

Date

William Michael Hynes

Signature

Telephone

Number: (415) 273-4524

William Michael Hynes

Typed or printed name

Reg. No. 24,168

Townsend and Townsend and Crew, LLP

Two Embarcadero Center, 8th Floor

San Francisco, CA 94111-3834

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

03/26/02

Date

William Michael Hynes

Signature

William Michael Hynes, Reg. No. 24,168

Typed or printed name of person signing certificate

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MAR 26 2002

PETITIONS OFFICE

PATE

Attorney Docket No.: 020574-000110

I hereby certify that this correspondence is being transmitted by
facsimile on the date shown below to the United States Patent
and Trademark Office at (1-703-308-6916).

Addressed to:

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

On

TOWNSEND and TOWNSEND and CREW LLP

By:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jason Ashton

Application No.: 09/863,124

Filed: 5/22/01

For: Internet and wireless integrated
virtual presence

Art Unit: 2152

PETITION TO REVIVE
UNINTENTIONALLY ABANDONED
APPLICATION

Office of Petitions
Assistant Commissioner for Patents
BOX DAC
Washington, D.C. 20231

Sir:

Applicant petitions to revive the above-identified application under 37
CFR §1.137(b). The application was unintentionally abandoned for failure to submit an
executed inventor Declaration in response to a Notice to File Missing Parts by the final
due date.

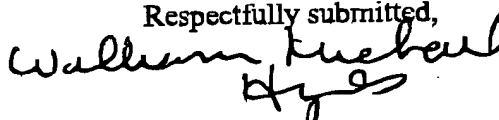
Enclosed is an executed inventor Declaration for filing in the above-
identified application.

A Fee Transmittal is attached authorizing payment of the petition fee,
pursuant to 37 CFR §1.17(m), in the amount of \$640.00 from the Deposit Account No.

Applicant: Jason Ashton
Application No. 09/863,124
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20-1430 of the undersigned. Please charge any additional fees or credit overpayment to the above Deposit Account. This petition is submitted in triplicate.

Respectfully submitted,



William Michael Hynes
Reg. No. 24,168

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WMH/meg
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